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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,194	04/13/2004	Andrew Poulos	22772	4045

535            7590            03/25/2005

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EXAMINER
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COLETTA, LORI L

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	10/823,194	Applicant(s)	POULOS, ANDREW
Examiner	Lori L. Coletta	Art Unit	3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on 13 April 2004.  
2a) This action is FINAL.                    2b) This action is non-final.  
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) Claim(s) \_\_\_\_\_ is/are allowed.  
6) Claim(s) 1,2,9-11,14,15,18 and 19 is/are rejected.  
7) Claim(s) 3-8,12,13,16,17 and 20 is/are objected to.  
8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.  
10) The drawing(s) filed on 13 April 2004 is/are: a) accepted or b) objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:  
    1. Certified copies of the priority documents have been received.  
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
    Paper No(s)/Mail Date 04132004.
- 4) Interview Summary (PTO-413)  
    Paper No(s)/Mail Date. \_\_\_\_\_.  
5) Notice of Informal Patent Application (PTO-152)  
6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The abstract of the disclosure is objected to because the form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1, 2, 9, 10, 14 and 18 are rejected under 35 U.S.C. 102(a) as being anticipated by Cocaign 2004/0075304.

Regarding claim 1, Cocaign '304 discloses in an automobile (100) having a vehicle body with a roof (101), the combination therewith of a frame (103, 104, 107 and 108) overlying a portion of said roof with a outline corresponding to that of a sunroof (1) and simulating a sunroof, and at least one member (4) affixing said frame to said roof of said vehicle body in Figures 1 and 2.

Regarding claim 2, Cocaign '304 discloses the combination, further comprising a panel (1) affixed to said frame (103, 104, 107 and 108) and spanning an interior thereof and simulating a sunroof panel.

Regarding claim 9, Cocaign '304 discloses a universal automotive vehicle appearance enhancer, in combination with a vehicle body, comprising a frame (103, 104, 107 and 108) adapted to be secured to a portion of said body adapted to span the interior of said frame, a panel (1) within said frame having the appearance of a window on said body, and means for attaching said frame to said body in Figure 1.

Regarding claim 10, Cocaign '304 discloses the enhancer, wherein said frame overlies a roof (101) of said body and simulates with said panel a sunroof in Figure 1.

Regarding claim 14, Cocaign '204 discloses the enhancer, wherein said panel (1) is composed of glass in Figure 1.

Regarding claim 18, Cocaign '204 discloses the enhancer, wherein said frame is polygonal.

4. Claims 9, 18 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by De Paul 2001/0030449.

Regarding claim 9, De Paul '449 discloses a universal automotive vehicle appearance enhancer, in combination with a vehicle body, comprising a frame (2) adapted to be secured to a portion of said body adapted to span the interior of the frame, a panel (1) within said frame having the appearance of a window on said body, and means for attaching said frame to said body in Figure 1.

Regarding claim 18, De Paul '449 discloses the enhancer, wherein said frame (2) is polygonal in Figure 1.

Regarding claim 19, De Paul '449 discloses the enhancer, wherein said frame has a curved configuration in Figure 1.

5. Claims 9, 11, 15, 18 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Kolluri et al. 6,378,931.

Regarding claim 9, Kolluri et al. '931 discloses a universal automotive vehicle appearance enhancer, in combination with a vehicle body, comprising a frame (20) adapted to be secured to a portion of said body adapted to span the interior of the frame, a panel (10) within said frame having the appearance of a window on said body, and means for attaching said frame to said body in Figure 1.

Regarding claim 11, Kolluri et al. '931 discloses the enhancer, wherein said frame (20) is affixed to a side wall of said body and with said panel (10) creates the appearance of a window (16) in said body in Figure 1.

Regarding claim 15, Kolluri et al. '931 discloses the enhancer, wherein said panel (16) is composed of a plastic.

Regarding claim 18, Kolluri et al. '931 discloses the enhancer, wherein said frame (20) is polygonal in Figure 1.

Regarding claim 19, Kolluri et al. '931 discloses the enhancer, wherein said frame (20) has a curved configuration.

*Allowable Subject Matter*

6. Claims 3-8, 12, 13, 16, 17 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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The cited references show several other sunroofs and window similar to that of the current invention.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lori L. Coletta whose telephone number is (703) 306-4614.

The examiner can normally be reached on Monday-Friday 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Lori L. Coletta  
Primary Examiner  
Art Unit 3612

llc  
March 18, 2005